

South Australia

Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2015

under section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013*

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Preamble

- 1 Section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013* provides that if—
 - (a) the Parliament of Queensland enacts an amendment to the *Heavy Vehicle National Law* set out in the Schedule to the *Heavy Vehicle National Law Act 2012* of Queensland (the *Queensland Act*); and
 - (b) the Governor is satisfied that an amendment that corresponds, or substantially corresponds, to the amendment made by the Parliament of Queensland should be made to the *Heavy Vehicle National Law (South Australia)*,the Governor may, by regulation, amend the South Australian Heavy Vehicle National Law text.
 - 2 The Parliament of Queensland has enacted legislation to amend the *Queensland Act* and the Governor is satisfied that the amendments corresponding to the Queensland amendments set out in Part 2 of these regulations should be made to the South Australian Heavy Vehicle National Law text.
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2015*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations—

Act means the *Heavy Vehicle National Law (South Australia) Act 2013*.

4—Amendment provision

Pursuant to section 5 of the Act, the Heavy Vehicle National Law (South Australia) is amended as specified in Part 2 of these regulations.

Part 2—Amendment of Heavy Vehicle National Law (South Australia)

5—Amendment of section 468—Driver operating under BFM accreditation or AFM accreditation must carry accreditation details

Section 468(1)—delete "heavy vehicle accreditation" and insert:

BFM Accreditation or AFM accreditation

6—Amendment of section 469—Driver must return particular documents if stops operating under BFM accreditation or AFM accreditation etc

(1) Section 469(1)(a)—delete "heavy vehicle accreditation" and substitute:

BFM accreditation or AFM accreditation

(2) Section 469(1)(c)(i)—delete "heavy vehicle accreditation" and substitute:

BFM accreditation or AFM accreditation

(3) Section 469(1)(c)(ii)—delete "heavy vehicle accreditation" and substitute:

BFM accreditation or AFM accreditation

7—Amendment of section 470—General requirements applying to operator with heavy vehicle accreditation

(1) Section 470(2)—delete "The operator" and substitute:

If the accreditation is BFM accreditation or AFM accreditation, the operator

(2) Section 470(4)(b)—delete paragraph (b) and substitute:

(b) if the operator's heavy vehicle accreditation is BFM accreditation or AFM accreditation—

- (i) a current list of drivers operating under the operator's accreditation; and
- (ii) records demonstrating the operator has complied with—
 - (A) if the operator's heavy vehicle accreditation is BFM accreditation—subsection (2); or
 - (B) if the operator's heavy vehicle accreditation is AFM accreditation—subsections (2) and (3); and
- (3) Section 470(4)(d)—delete paragraph (d)
- (4) Section 470(5)(b) and (c)—delete paragraphs (b) and (c) and substitute:
 - (b) for each list or record made under subsection (4)(b) or (c)—at least 3 years after the list or record is made.
- (5) Section 470(7)(a)—delete "subsection (4)(b)" and substitute:
 - subsection (4)(b)(i)

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 January 2015

No 3 of 2015

MTR/14/042